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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/782,062	02/14/2001	Kenji Nishi	108601	1857

25944 7590 09/18/2003

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EXAMINER

BROWN, KHALED

ART UNIT PAPER NUMBER

2877

DATE MAILED: 09/18/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/782,062

Applicant(s)

KENJI NISHI

Examiner

Khaled Brown

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-55 is/are pending in the application.
- 4a) Of the above claim(s) 11-22, 30-52 and 55 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 4-8, 10, 23, 29, 53 and 54 is/are rejected.
- 7) ☒ Claim(s) 2, 3, 9 and 24-28 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 February 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 7, 10.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Election/Restrictions

Applicant's election with traverse of Group I claims 1-10, 23-29, 53 and 54 in Paper No. 11 is acknowledged. The traversal is on the ground(s) that all the claims are sufficiently related. This is not found persuasive because the inventions are unrelated as shown by there different classifications.

The requirement is still deemed proper and is therefore made FINAL.

Claim Objections

Claims 1-5 and 53 are objected to because of the following informalities: Claim 1, lines 7 and 9, has the phrase "the stage chamber". There is a lack of antecedent basis for said phrase. Claims 2-5 and 53 depend from claim 1 and thus contain the same deficiencies. Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1,4,5, 6,7,8,10,23,29,53 and 54 are rejected under 35 U.S.C. 102(e) as being anticipated by Nakahara (US 6473157).

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Re clms 1,4: Nakahara et al discloses an exposure method comprising (performed by invention shown in Fig 8): importing the second object into the stage chamber (Col 13 lines 17-19), adjusting a position of the second object with respect to the movable stage in the stage chamber (performed by control system 4100), installing on the movable stage, the second object which has been adjusted (RA is installed on to element 425), moving the movable stage to adjust the position of the second object with respect to an exposure position (Col 15 lines 17-21), and exposing one of the first object and the second object with the exposure light beam passing through the other of the first and the second object(Col 15 line 27).

Re clm 5: first object (RA) and second object (W)

Re clms 6,7,8,10: transport system (Shown in Fig 8), adjusting a position of the second object with respect to the transport system on a contour basis during the transport of the second object to the movable stage (Col 13 lines 16-26)

Re clms 23,29: a movable stage (425), transport system (Shown in Fig 8) which includes a handling mechanism (423A and 423B), a contour detecting system (Col 13 lines 16-26) and an arm (420).

Re clms 53,54: workpiece (W)

Allowable Subject Matter

Claims 2,3,9 and 24-28 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

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The following is a statement of reasons for the indication of allowable subject matter: the prior art of record fails to disclose or suggest the claimed method steps of importing an exposure objective, or a second air-tight chamber, or temperature adjustment, or a second hand all in conjunction with the rest of the claimed subject matter.

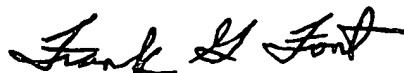
Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Nakahara et al 5442163, Nakahara 5498118, Masujima et al 6136168, Iizuka 4999671, Takahashi et al 5364219, Kato et al 5784799 and Shirley et al 6351684.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khaled Brown whose telephone number is 703-306-5738. The examiner can normally be reached on M-F 8:30am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Frank G. Font can be reached on 703-308-4881. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1782.



KB
August 27, 2003

Frank Font
Supervisory Patent Examiner
Art Unit 2877